

Remarks

Claims 1-16 are canceled. Claims 17-37 are submitted. Claims 17-37 are pending, of which Claim 17 is the sole independent claim. Claims 17-37 are readable on the elected species. Each of the Examiner's objections or rejections is addressed below in the order they were presented in the Office Action.

Antecedent basis for amending Claim 17 appears in the original specification as published on the PTO website as U.S. Published Application No. 2004/0084127 A1 paragraph [0035]. Accordingly, Claim 17 is amended to recite, "promoting penetration through the thin, porous nonwoven web by the portion of the layer of hydraulic cementitious material to form the cement skin adjacent to the outer face."

Rejection Pursuant to 35 U.S.C. § 103(a) Over Newman et al. (US 6,054,205) in view of Mathieu (US 6,187,409) Galer (US 4,450,002) Canada (CA 2006149) and Berke et al. (US 5,753,368).

The Final Rejection combines Berke et al. with the other cited references. A combination of Berke et al. with the other cited references does not pertain to Applicant's method, "promoting penetration through the thin, porous nonwoven web by the portion of the layer of hydraulic cementitious material to form the cement skin adjacent to the outer face." Berke et al. discloses at column 2, lines 15-18, a method of "mixing ...to obtain a concrete mortar, or paste mix in which the individual fibers are homogeneously distributed; and casting the mix into a configuration," thereby providing a teaching, suggestion motivation or explanation for combination with the other cited references in a manner that is unrelated to Applicant's claimed method. Further, none of the other cited references and none of Applicant's claims disclose a web that is capable of homogeneous distribution in a mix according to Berke et al. Further, Applicant's claims pertain to a different problem, namely, how to promote penetration of a cementitious material through a thin, porous nonwoven web and form a cement skin. The other cited references are silent on how to promote penetration of a cementitious material through a

thin, porous nonwoven web and form a cement skin, except to provide pores large enough for penetration therethrough.

The Final Rejection combines Mathieu with the teachings of Newman et al. and the other cited references. Mathieu discloses a mesh for combination with the teachings of Newman et al. and the other cited references. The Mathieu mesh embodiments are described at column 16, lines 43-47, “[T]he openings in a mesh, scrim or other fabric in this case are to be sufficiently large to permit passage of the mesh bonding material such as a portland cement slurry, i.e. such that a mesh or scrim is cemented or imbedded in a face or surface.” Mathieu is silent on how to promote penetration of a cementitious material through a thin, porous nonwoven web and form a cement skin, except to provide pores large enough for cementitious material penetration. Applicant’s claim 17 provides a further method of promoting penetration of cementitious material through a thin, porous nonwoven web and form a cement skin. Mathieu combined with Newman et al. and other cited references is silent for teaching, suggesting, motivating or explaining a further method of promoting penetration of a cementitious material through a mesh 15 and/or a web 20 as taught by Newman et al.

The Final Rejection explains that Newman et al. teaches a web 20 that promotes a cementitious slurry to window pane evenly over the openings of the mesh 15. It is noted that such a window pane is formed on the mesh facing side of the web 20, and is not formed by promoting penetration of a cementitious material through the web 20 to form a cement skin. Newman et al. is silent for teaching, suggesting, motivating or explaining a method of promoting penetration of a cementitious material through a mesh 15 and/or a web 20, except to provide a porous web with openings in the porous web (column 6, lines 10-13).

The Final Rejection cites Canada (CA 2006149), hereafter referred to as “Canada,” wherein Canada teaches that a cementitious composition does not penetrate through a porous fabric 14 (page 12, line 16), even when the porous fabric 14 is treated with a polymer to reduce viscosity of the cementitious composition. Thus, the porous fabric of Canada is constructed in a manner that does not allow penetration through the porous fabric, even when the porous fabric is

treated with a polymer to reduce viscosity of the cementitious composition. Canada can not teach a method of promoting penetration of a cementitious material through a thin, porous nonwoven web to form a cement skin, when the Canada method expressly does not allow penetration through a porous fabric.

The Final Rejection combines the mesh teachings of Galer with the teachings of Newman et al. and other cited references. Galer is presumed to be US 4,450,022. Thereby, Galer US 4,450,022 discloses a “network such as a woven mesh or scrim, or a non-woven pervious fabric,” (column 3, lines 3-5) and “Nonwoven membranes must be sufficiently porous to permit penetration by the slurry, “ (column 2, lines 15-16). Thus, Galer promotes penetration by large enough pores. Galer teaches a further method to promote slurry penetration. Thereby, Galer teaches, “The thickness of the layer of concrete mix formed on the bottom side of the network is determined by the speed of the conveyor belt 15, the consistency of the concrete mix, and the height of the riser 25” (column 5, lines 18-21). Thus, Galer teaches a further method of using a riser 25 (riser 25 of a step 24) to promote the layer of concrete mix to form on the bottom side of the network, which could be combined with Newman et al. and the other cited references.

Applicant’s claim 17 recites a method further to providing a porous web and different from the further method of using of a riser 25 of Galer. Applicant’s claim 17 recites, “promoting penetration through the thin, porous nonwoven web by a portion of the layer of hydraulic cementitious material to form the cement skin adjacent to the outer face by having the thin, porous nonwoven web comprise alkali resistant polymer fibers coated with a hydrophilic material.” Accordingly, the method of claim 17 patentably distinguishes over the use of Galer’s riser 25 combined with Newman et al. and the other cited references, and patentably distinguishes over sufficiently large pores for penetration.

The method of Claim 29 is not disclosed by the combination of references, because the fabric of Canada and the mesh of either Neuman et al., Mathieu or Galer do not involve a cement powder coating method.

Applicant's dependent claims are separately patentable for the reasons discussed above and for the reasons previously filed in Applicant's response filed February 14, 2006 by certificate of mailing and incorporated herein by reference.

Rejection of Claims 25 and 37 Pursuant to 35 U.S.C. § 103(a) Over Newman et al. (US 6,054,205) in view of Mathieu (US 6,187,409) Galer (US 4,450,002) Canada (CA 2006149) and Berke (US 5,753,368) and further in view of Cooper (US 6,254,817)

Claim 25 is separately patentable over the combination of cited references for the reasons discussed above, and is separately patentable over the combination of Cooper with the other cited references for the added reasons directed to Cooper's added teachings, as previously filed in Applicant's response filed February 14, 2006 by certificate of mailing and incorporated herein by reference.

Rejection of claims 24-26 Pursuant to 35 U.S.C. § 103(a) Over Newman et al. (US 6,054,205) in view of Mathieu (US 6,187,409) Galer (US 4,450,002) Canada (CA 2006149) and Berke (US 5,753,368) and further in view of Schupack (US 4617219)

Claims 24-26 Claim 25 are separately patentable over the combination of cited references for the reasons discussed above, and are separately patentable over the combination of Schupack with the other cited references for the added reasons directed to Schupack's added teachings, as previously filed in Applicant's response filed February 14, 2006 by certificate of mailing and incorporated herein by reference.

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Summary

In view of the Amendments to the claims, and the Remarks supporting patentability, allowance is requested.

Respectfully submitted,

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